

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ACCIDENT FUND INSURANCE
COMPANY OF AMERICA

Plaintiff,

V.

NATHAN F. HARDY, FRATELLO
CONSTRUCTION CORP., DANIEL
EDWARD GARRETT, and AAA
CARTING & RUBBISH REMOVAL
INC.

Defendants,

Civil Action No. 1:23-cv-01980-JSR

**ORDER GRANTING PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT
AGAINST AAA CARTING & RUBBISH REMOVAL INC.**

The motion for default judgment filed by Plaintiff Accident Fund Insurance Company of America against Defendant AAA Carting & Rubbish Removal Inc. is GRANTED. After having considered the arguments and authorities submitted by Accident Fund Insurance Company of America, the Court finds as follows:


Defendant AAA Carting & Rubbish Removal Inc. has failed to answer or otherwise plead and has defaulted, the Clerk has entered default, and Accident Fund Insurance Company of America has proven entitlement to the relief sought.

It is therefore ORDERED, ADJUDGED, and DECREED, and judgment is now entered as follows:

Under the terms of insurance policy No. CA-WINS-1007-21 issued by Accident Fund Insurance Company of America to AAA Carting & Rubbish Removal Inc., Accident Fund

Insurance Company of America had and has no duty to defend or indemnify AAA Carting & Rubbish Removal Inc. for the claims asserted against it in the lawsuit styled *Nathan F. Hardy v. Fratello Construction Corp. and Daniel Edward Garrett*; Cause No. 817660/2021E, pending in the Supreme Court of the State of New York, County of Bronx, or any similar actions.

Dated: 5/5/23
New York City, New York



U.S.D.J. Jed. S. Rakoff
This document was entered on the docket
on _____.